



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

January 15, 1998

Mr. Ryan Tredway
Staff Attorney
Texas Department of Insurance
Legal and Compliance Division, MC 110-1A
P.O. Box 149104
Austin, Texas 78714-9104

OR98-0137

Dear Mr. Tredway:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 111990.

The Texas Department of Insurance (the "department") received a request for "all consumer complaints relating to Certus Healthcare, L.L.C., which complaints have been received since Oct. 1, 1996, and which relate to deceptive or misleading advertising." Initially, you asserted that the requested information was excepted from disclosure under section 552.101 of the Government Code in conjunction with article 20A.17, section 17(b)(4) of the Insurance Code. However, you have withdrawn this claim. You indicate that "[s]ome of the requested information may involve the proprietary or property interests of Certus." Therefore, you raise section 552.305 of the Government Code on behalf of Certus.

Pursuant to section 552.305 of the Government Code, we notified Certus of the request for information and of its opportunity to claim that the information at issue is excepted from disclosure. In a letter to this office, Certus declined to submit any arguments against the disclosure of the requested information.

Neither the department nor Certus object to disclosing the requested information. We have reviewed the information and find that it does not implicate the privacy interests of any third parties. Thus, we conclude that the department must release the information.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented

to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 111990

Enclosures: Submitted documents

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